

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)
)
v.)
) CASE NO. 2:15-CR-90(1)
)
RICHARD ALAN DAVIS)

ORDER

Sentencing proceedings in this matter will be held at 1:30 p.m. on September 12, 2016, in accordance with Local Rule 83.9. In addition, each party shall file with the Court not later than August 29, 2016 a sentencing memorandum setting forth the party's position with respect to a reasonable sentence in the case and specifically addressing the applicability of each of the factors set forth in 18 U. S. C. § 3553(a) and bases for any proposed upward or downward variances from the applicable advisory guidelines range.

Any and all letters to be considered by the Court must be attached to the defendant's sentencing memorandum or they will not be considered by the Court. A copy of this memorandum and the letters shall be provided to the probation officer. If sensitive material is contained in those letters, the defendant shall file a motion to seal any letter containing sensitive material before that letter is electronically filed.

If witnesses will be testifying at the sentencing hearing, the parties shall file a notice at least seven (7) calendar days before the hearing which sets out the number of witnesses that will be called and the estimated time that will be needed for their testimony allowing additional time for cross-examination.

Any request to continue the deadline for filing the sentencing memorandum and letters shall be made by written pleading, filed with the Court no later than seven (7) calendar days prior to the deadline for the sentencing memorandum. Any request to continue the sentencing hearing shall be made by written pleading, filed with the Court no later than seven (7) calendar days prior to the sentencing hearing. Any motion to continue the sentencing hearing must state whether any prior motion(s) to continue have been filed and, if so, refer the Court to the CM/ECF docket number for the prior motion(s). A party must demonstrate good cause for failing to file a motion to continue after such deadline. Failure to demonstrate good cause in the motion is grounds for summary denial. In addition, any motion to continue the sentencing hearing pursuant to Federal Rule of Criminal Procedure 32(e)(2) shall also be filed no later than seven (7) calendar days prior to the sentencing hearing. Failure to comply with this deadline is also cause for summary denial and will be deemed a waiver of the Rule's 35 day provision.

ENTER:

s/ J. Ronnie Greer
J. RONNIE GREER
UNITED STATES DISTRICT JUDGE